

Item # _____

Prepared by: Gloria Kelly
Real Estate Services

Approved by: _____
Assistant County Attorney

RESOLUTION APPROVING A SALE PRICE REDUCTION ON THE COUNTY'S SALE OF ONE DELINQUENT TAX PARCEL, ACQUIRED FROM SHELBY COUNTY TRUSTEE TAX SALE NO. 0203 AND SOLD TO TRUSTEES NEW LIFE CHURCH OF MEMPHIS PURSUANT TO T.C.A. §67-5-2507, AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO AFFECT THIS SALE PRICE REDUCTION AND TO REFUND TRUSTEES NEW LIFE CHURCH OF MEMPHIS \$10,000.00 OF THE PURCHASE PRICE PAID FOR SAID PROPERTY; AND AMENDING THE FY 08-09 BUDGET. SPONSORED BY COMMISSIONER SIDNEY CHISM.

WHEREAS, Shelby County acquired one improved Delinquent Tax Parcel from Shelby County Trustee Tax Sale No. 0203, which parcel being more particularly described in the listing thereof, which is attached hereto as Exhibit "A", and incorporated herein by reference; and

WHEREAS, Pursuant to the sale provisions of T.C.A. §67-5-2507, the Shelby County Land Bank Department took charge of and marketed said Delinquent Tax Parcel to secure the best sale price offer for the same; and

WHEREAS, The sale price offer received for said Delinquent Tax Parcel was publicly advertised for increased offers pursuant to T.C.A. §67-5-2507 in conjunction with establishing the sale price offer received from Trustees New Life Church of Memphis in the amount of \$11,500.00 as representing its highest and best sale price; and

WHEREAS, The sale of said Delinquent Tax Parcel to Trustees New Life Church of Memphis for \$11,500.00 was approved by the Board of County Commissioners of Shelby County, Tennessee, by resolution adopted on August 13, 2007 under Item No. 2 and subsequently closed on December 06, 2007; and

WHEREAS, Trustees New Life Church of Memphis purchased said improved Delinquent Tax Parcel for the expressed intent of rehabilitating the apartments located thereon and the property was priced as improved; and

WHEREAS, Prior to Trustees New Life Church of Memphis taking possession of said improved Delinquent Tax Parcel, the City of Memphis, unaware that the property had been purchased by Trustees New Life Church of Memphis for rehabilitation, demolished the improvements under a court ordered condemnation; and

WHEREAS, In light of the circumstances cited hereinabove, Trustees New Life Church of Memphis has requested the County to rectify this situation by refunding the Trustees New Life Church of Memphis \$10,000.00 of the sale price paid, which it considers to be the value of the demolished improvements; and

WHEREAS, It is deemed to be in the best interest of Shelby County to approve said sale price reduction to Trustees New Life Church of Memphis and refund Trustees New Life Church of Memphis \$ 10,000.00 of the sale price paid; and

WHEREAS, It is necessary to amend the FY 08-09 budget to account for the cost of this sale price refund.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforementioned sale price reduction on the County's sale of said Delinquent Tax Parcel to Trustees New Life Church of Memphis be and the same is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor be and is authorized to execute all documents necessary to affect this sale price reduction and to refund Trustees New Life Church of Memphis \$ 10,000.00 of the sale price paid for said property.

BE IT FURTHER RESOLVED, That the FY 2008-09 budget is hereby amended by increasing the revenue account 010-307501-4254 Gain on Sale of Fixed Asset and 010-307501-6401 Administrative Expenses each by \$10,000.

BE IT FURTHER RESOLVED, That the funds required to make this sale price refund to Trustees New Life Church of Memphis in the amount of \$ 10,000.00 shall be debited from Account No. 010-307501-6401.

BE IT FURTHER RESOLVED, That this Resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.

A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

EXHIBIT "A"									
Exhibit #	Tax Sale	WBP	Address Lot Size	Zoning Code	Total Taxes And Fees	Purchaser	Evaluation	Sales Price	Planned Use
1809	0203	021087000000200	803 N. Claybrook Street 59' x 95'	C-L	\$ 21,193.70	Trustees New Life Church of Memphis	\$48,100.00	\$ 11,500.00 Improved, Apartments	Investment

SUMMARY SHEET

I. Description of Item

This is an improved County owned Delinquent Tax Parcel, 0.14 acres in size, located at 803 N. Claybrook Street, within the City of Memphis, and further identified as Tax Parcel Number 02108700000200. It was acquired in 2005 by the County from Shelby County Trustee Tax Sale No. 0203 for outstanding taxes, penalties and interest in the amount of \$21,193.70. This property was improved with apartments, that were in a deteriorated condition. On June 14, 2007 Trustees New Life Church of Memphis signed an Offer to Purchase Agreement to buy this property for \$ 11,500.00 for the expressed intent of rehabilitating the apartments located thereon.

This sale was approved by the Board of County Commissioners of Shelby County, Tennessee by resolution adopted on August 13, 2007 under Item No. 2 and subsequently closed on December 06, 2007. Prior to Trustees New Life Church of Memphis taking possession of said improved Delinquent Tax Parcel, the City of Memphis, unaware that the property had been purchased by Trustees New Life Church of Memphis for rehabilitation, demolished the improvements under a court ordered condemnation. In light of the circumstances cited hereinabove, Trustees New Life Church of Memphis has requested the County to rectify this situation by refunding the Trustees New Life Church of Memphis \$ 10,000.00 of the sale price paid, which it considers to be the value of the demolished improvements. Based on the above, it is hereby recommended by the Administration that this said price reduction and refund to Trustees New Life Church of Memphis in the amount of \$ 10,000.00 be approved.

II. Source and Amount of Funding

FY 2008-09 budget is hereby amended by increasing the revenue account 010-307501-4254 Gain on Sale of Fixed Asset and 010-307501-6401 Administrative Expenses each by \$10,000.

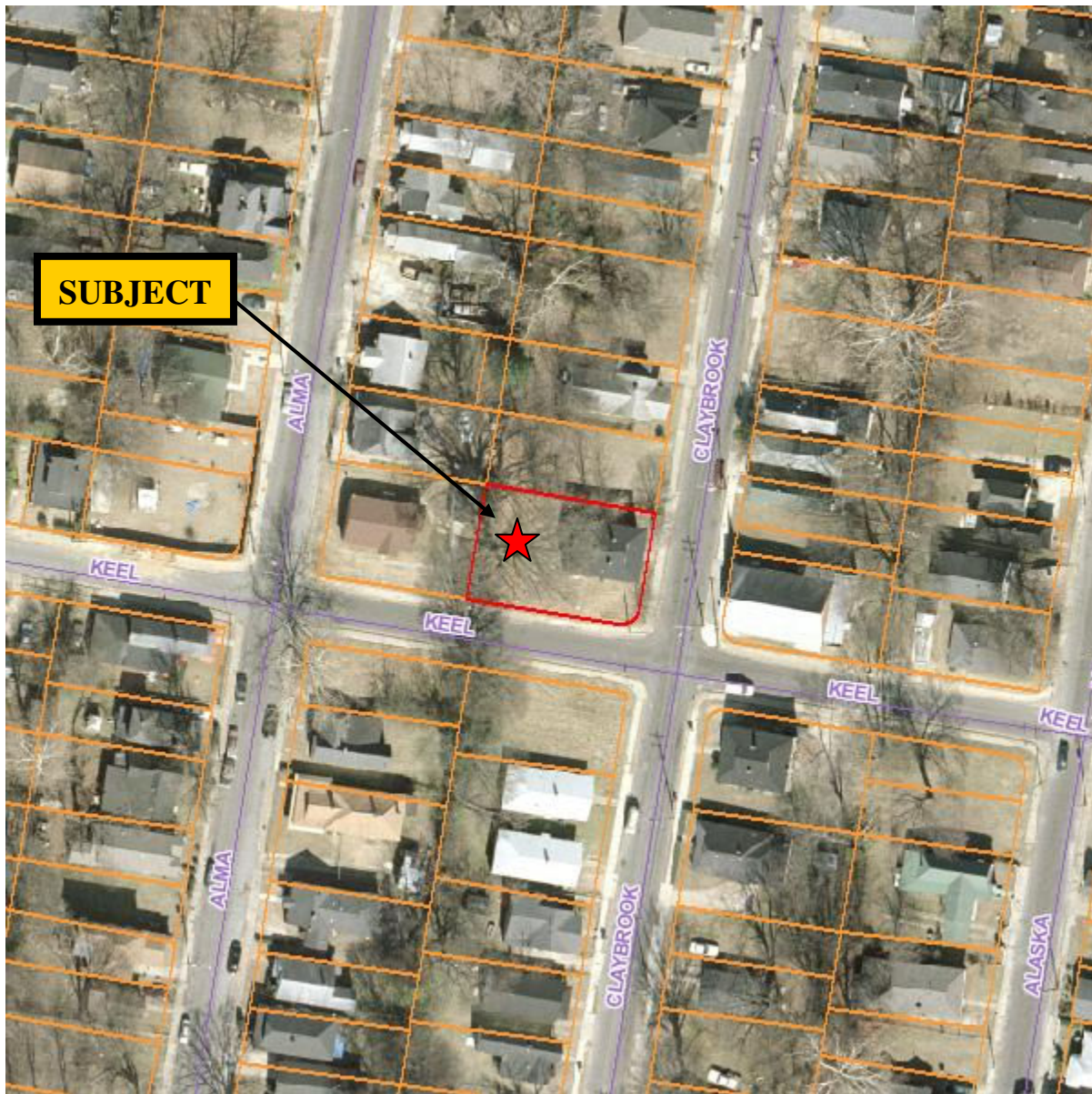
The funds required to make this sale price refund to Trustees New Life Church of Memphis in the amount of \$ 10,000.00 shall be debited from Account No. 010-307501-6401.

III. Contract Items

N/A

IV. Additional Information Relevant to Approval of this Item

803 N. Claybrook Street
Tax Parcel No. 02108700000200



803 N. Claybrook Street
Tax Parcel No. 02108700000200

